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SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	Applicant(s)
Office Action Summary	10/693,735	GERBER ET AL.
	Examiner	Art Unit	
	Chih-Ching Chow	2191	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _24 October 2003_.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-23_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-23_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _24 October 2003_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _See Continuation Sheet_.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

1.   This action is responsive to the application filed on October 24, 2003.

2.   The priority date considered for this application is October 24, 2003.

3.   Claims 1-23 have been examined.

Double Patenting

4.   The nonstatutory double patenting rejection is based on a judicially created
doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the
unjustified or improper timewise extension of the "right to exclude" granted by a patent
and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d
1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed.
Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*,
422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163
USPQ 644 (CCPA 1969).

        ·A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be
used to overcome an actual or provisional rejection based on a nonstatutory double
patenting ground provided the conflicting application or patent is shown to be commonly
owned with this application. See 37 CFR 1.130(b).

        Effective January 1, 1994, a registered attorney or agent of record may sign a
terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply
with 37 CFR 3.73(b).

5.   Claim 18 is provisionally rejected under the judicially created doctrine of
obviousness-type double patenting as being unpatentable over claim **30** of copending
Application No.10/692,885. Although the conflicting claims are not identical, they are
not patentably distinct from each other, from the comparison listed in the following
table:

Current Application (10/693,735) US 2005/0091269 A1	Co-Application (10/692,885) US 2005/0091184 A1
Claim 18	Claim 30
A method for employing preferences comprising:	A method of personalizing computers functionality comprising:
specifying user preferences based on a developer schema;	writing user preferences with respect to one or more named groups of data in accordance with a developer schema; and
storing the preferences in one or more tables in a data store; querying the tables in the data store upon occurrence of an event; producing a result table;	
and executing actions based on the data in the result table.	executing user preferences in response to an event; taking action based a conditionally valid preference.

Claim 18 of current application is anticipated by co-appliation claim 30 in that co-application claim 30 contains all the limitations of the current application claim 18. Claim 18 of the current application therefore is not patentably distinct from co-application claim 30 and as such is unpatentable for obvious-type double patenting. Claim 18 of current applciation is rejected and Double Patented, as being unpatentable over 10/692,885. Wherein 10/692,885 discloses features of 'personalzing computers functionality', 'specifying user perferences with a developer schema, and executing actions based on a valid preference', however 10/692,885 does not disclose 'storing the preferences in a data store, querying the stored data, and produce a result table'; Official Notice is taken that "storing the preferences in a data store, querying the stored data and produce a result table' was well known in the art, therefore, it would have been obvious to one ordinary skill in the art to combine the well known knowledge and 10/693,735 to

the preferences in a data store' becaue any user defined information would have to store in a database/data store, and user should be able to query frome the database/data store.

This is a <u>provisional</u> obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Specification

6.   The disclosure is objected to because of the following informalities: paragraph [0074] last sentence, "Once the event component 130 collects data from an external event source, it can write the data to an event table and <u>save the event table the database</u> 150". Appropriate correction is required.

Claim Objections

7.   Claim 15 is objected to because of the following informalities: claim 15 recites "The method of claim 14, wherein the application <u>is employs</u> user defined preferences". — The claim should be either 'is' or 'employs', not both. Appropriate correction is required.

Claim Rejections - 35 USC § 112

8.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

9.   Claim 7 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 7 recites: *"The system of claim 5, wherein the event*

source is the data store component.", there is no description through the specification describe about the 'event source is the data store component'. In fact, Fig. 1 illustrated that data store component (150) is independent from the data sources; also in paragraph [0074] described, "Once the event component 130 collects data from an external event source, it can write the data to an event table and save the event table the database 150" – from the description, the event source definitely is <u>not</u> the data store component.

Claim Rejections - 35 USC § 102

10.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11.   Claims 1-5, 11-13, 18-20, and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,745,180 B2, by Yamanoue, hereinafter "Yamanoue".

As Per claim 1, Yamanoue discloses:

- A preference evaluation system comprising: a data store component for storing schematized data;

Yamanoue's disclosure stores user preference data, see Yamanoue 's column 1, Lines 8-15, "The present invention relates to a data supply controlling device, a data supplying method, **a storage medium** *(a data store)* storing a data supplying program, and a data supplying system, in which a system is used which searches for information (of books, for instance) using a data supplying device and provides search results to the user (user terminal) via the data supply controlling device in such a manner to **provide information suitable for user's preference and interest** by referring to user data". And see Yamanoue's column 29, lines 14-20,

"Incidentally, Japanese Examined Patent Publication No. 2976219 discloses that user data is recorded, for instance, in a storage medium such as IC memory, and the **user data stored in the storage media** above is read by a terminal of the user when a search for commercial information is conducted, and then a host computer conducts an information search by picking up only required data from the user data." -- where the **storage medium** is as a the 'data store'; as to the schematized data, any "data, logic, events, inter alia, are all schematized", see the citation in the current application Abstract, and paragraph [0010], "**Schematization** is the structuring of data in well-known and well-defined patterns, which enables multiple applications to recognize and interact with each other."

- *a compiler to compile applications including end-user specified preferences and store them in the data store; and*

See Yamanoue's column 22, lines 5-8, "After the data **compiled** or read in S64 or S65 is sent to the user terminal 1 by the data supplying means 41", and column 22, lines 17-20, "if the user selects to see data in the user terminal 1 (*end-user specified preferences*) in the manner of the data browse in S67, the data to be browsed is **compiled** (S68) and immediately transferred to the user terminal 1 (S69)"; it's inherent that data has to be compiled by a compiler.

- *an execution engine to evaluate preferences stored in the data store upon the occurrence of one or more events.*

See Yamanoue's Fig. 13, and column 6, lines 19-22, "In the arrangement, the process by means of the method of supplying data can be implemented by a computer (for example, a data supply controlling device) **executing the program**"; and column 28, lines 42-46, "the stored program may be arranged to be **executed by an access of a microprocessor** (not illustrated), or arranged so

that **the program is executed** *(execution engine to evaluate the stored*
preferences) by reading the stored program and then downloading the read
program to a program storage of a delivery server and a receiving server.".
Basically Yamanoue's disclosure as specified in his claim 38, "A **storage medium**
(data store) for **storing a data supply program executed** *(execution engine)* by a
computer to implement a method of supplying data, the method comprising the
steps of: storing, in user data storage means, user data for each user who is to be
supplied with information through a user terminal *(store data upon the occurrence*
of one or more events); generating, based on at least the user data, a query for a
data supplying device to search for the information; storing, in search result
storage means, a result of a search conducted by the data supplying device for the
information in accordance with the query".

As Per claim 2, Yamanoue discloses:

- *The system of claim 1, further comprising an action component for taking*
one or more actions specified by a conditionally valid preference.
For claim 1 feature see claim 1 rejection, conditionally valid preference is
disclosed in Yamanoue's 'search rules', see Yamanoue's Fig. 1 and description,
and example in column 8, lines 49 into column 9, "**If the data server 2 is a server**
searching information of books as in the present embodiment, as the **search rule**
described above, the search rule generator 24 sets a rule that enables the search
service center 3 to generate queries, which are capable of searching information of
books, on the basis of the user data.", couple 'IF' conditions are assessed (column
8, lines 56-62) from Data Server 2, further actions are taken at Search Service
Center 3. The **query rules** specified in FIG. 3 can all considered as 'conditionally
valid preference'.

As Per claim 3, Yamanoue discloses:

- *The system of claim 2, the action component comprising a notification component that transforms and formats notification data generated by the execution engine based on a user preference for one or more user communication devices.*

For claim 2 feature see claim 2 rejection, Yamanoue's disclosure including a 'search result management' component, which would transform and form notification data generated by the execution engine based on a user preference on a user's communication device, see Yamanoue's FIG 1, and FIG. 16, and description in column 8, lines 12-21, "The search result management means 13 (a *notification component*) stores the search results being **transferred from the search service center 3 to the user terminal 1**" and "...The **display 15 offers a GUI (Graphical User Interface) for various operations and displays search results**, and includes a PC monitor, for instance."

As Per claim 4, Yamanoue discloses:

- *The system of claim 1, wherein the communication devices include a mobile phone, a pager, a PDA, and a computer.*

For claim 1 feature see claim 1 rejection, Yamanoue's teaching include a computer or a mobile phone, see Yamanoue's column 7, lines 34-40, "The user terminal 1 is used by the user being provided data by the present system. What can be used as the terminal 1 are, for instance, **devices owned by the users and can be connected to the network 4 such as a PC** (personal computer), **a mobile information terminal and a mobile phone**, and also a dedicated terminal capable of being used in the system."

As Per claim 5, Yamanoue discloses:

- *The system of claim 1, further comprising an event component to extract event data from an event source and store the data in the data store.*

For claim 1 feature see claim 1 rejection, each data storage or data query/retrieval in Yamanoue's disclosure is considered as an event, see column 3, lines 38-59, "A data supply controlling device in accordance with the present invention, in order to accomplish the foregoing objective, is characterized in that it includes: **a user data storage section for storing user data** for each user who is to be supplied with information through a user terminal" – the data supply controlling device serves as an event component, which can extract event data from the input source and store the data in the data store.

As Per claim 11, Yamanoue discloses:

- *The system of claim 1, the execution engine evaluates preferences by executing queries on data stored in the data store.*

For claim 1 feature see claim 1 rejection, for rest of claim 11 feature see Yamanoue's Abstract, "A data supply controlling device comprises **a data base for user data which stores user data** matched with each user. The **data base of user data can be queried** *(executing queries on data stored in the data store)* in accordance with the user data so that a data server performs a **search according to the query and stores the search** results in a search result data base." and column 4, lines 46-55, "storing, in a user data storage section, user data for each user who is to be supplied with information through a user terminal; generating, based on at least the user data, **a query to search** data supplied from a data supplying device; **searching for information in accordance with the query;** *(executing queries)* storing a search result in a search result storage section;"

As Per claim 12, Yamanoue discloses:

- *The system of claim 1, wherein end-user preferences are based on a developer specified schema.*

For claim 1 feature see claim 1 rejection, for rest of claim 12 feature see Yamanoue's FIG 2 and description in column 12, lines 25-28, "The **user defined data** 61 is data that the **user can designate** in relation to a data search, for each of the following items such as: an each user's **search rule to generate queries: an alteration of the generated search** rule; and frequency to conduct the search." – the user specified schema.

As Per claim 13, Yamanoue discloses:

- *The system of claim 12, wherein information regarding end-user preferences and the developer schema are stored in one or more tables in the data store.*

For claim 12 feature see claim 12 rejection, for rest of claim 13 feature see Yamanoue's column 19, lines 9-11, "Then the query management means 37 stores the filtering query matched with each user ID, which is **stored in the user data DB** 32, in a **user ID table**". – preference data stored in one or more tables in the data store.

As Per claim 18, Yamanoue discloses:

- *A method for employing preferences comprising: specifying user preferences based on a developer schema;*

See claim 1 rejection.

- *storing the preferences in one or more tables in a data store;*

See claim 13 rejection.

- *querying the tables in the data store upon occurrence of an event; producing a result table; and executing actions based on the data in the result table.*

See Yamanoue's column 19, lines 9-19, "the **query management** means 37 stores the filtering query matched with each user ID, which is stored in the user data DB 32, in a **user ID table** (not illustrated) included in the **query management** means 37 (S54). The filtering **query above is a query to acquire search results** matched **with a user ID from the search results** made by the merged **query** which is merged in S53. That is to say, the filtering query can exclude search results matched with the dummy query from the search result of the merged query. So, the query management means 37 generates schedule data to conduct a data search by the queries registered in the query DB 36, from the search result of the merged query" – wherein each user's data or query is considered as an event. And further lines 30-35, "The **query management means** 37 registers queries which are not merged in S53 in the query DB 36, and also modifies/deletes queries registered in the query DB 36, when the query management means 37 determines that the queries are not used by a user possessing another user ID, **by using a query management table** (not illustrated) in the query management means 37 (S56)." – queries are executed and the query results can be stored in user ID table or query management table (*result table*).

As Per claim 19, Yamanoue discloses:

- *The method of claim 18, wherein user preferences are specified by utilizing a one-at-a-time declarative programming model.*

For claim 18 feature see claim 18 rejection, for rest of claim 19 feature see Yamanoue's column 19, lines 21-23, "data about desirable time or duration of an update schedule (conduct of the search) **designated by the user in the user defined data 61**"; – the specified desirable time or duration of an update schedule designated by the user allows developers to specify one event against one preference, which is considered as using an 'one-at-a time' declarative model.

As Per claim 20, Yamanoue discloses:

- *The method of claim 19, wherein user preferences are specified using one or more On-event-If-Then statements and Boolean operators to specify conditions and actions.*

For claim 19 feature see claim 19 rejection, for the 'on-event-If-Then' feature see see claim 2 (conditional statement) rejection.

As Per claim 21, Yamanoue discloses:

- *The method of claim 20, wherein querying the tables comprises executing query language statements.*

For claim 20 feature see claim 20 rejection, for rest of claim 21 feature see Yamanoue's column 10, lines 48-50, "The search means 38: keeps track of the data server 2 capable of doing a data search by using queries generated in accordance with a specified search rule; provides **queries specified by the query management means 37** for the data server 2; and gives **instructions to the data server 2 to search data in accordance with the queries.**" -- the queries specified by the query management means are inherently to be 'query language statements'.

As Per claim 23, Yamanoue discloses:

- *A computer readable medium having instructions stored thereon computer executable instructions for executing the method of claim 19.*

For claim 19 feature see claim 19 rejection, for rest of claim 23 feature see Yamanoue's column 28, lines 34-36, "the operations described in the embodiments above can be realized by a computer program. The **program is stored in a computer-readable storage medium.** In the present invention, this

storage medium may be a memory (not illustrated), for instance ROM itself, that is required when the search service center 3 operates, or may be a program storage medium that is readable by inserting into a program reader provided as an external storage device (not illustrated)."

12.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

13.   Claims 14-17 are rejected under 35 U.S.C. 102(a) as being anticipated by US Patent No. 6606618, by Delo, hereinafter "Delo".

As Per claim 14, Delo discloses:

- *A method for application installation comprising: establishing a set of base tables; and updating the base tables with application data associated with an application being installed.*

Delo teaches a method for application installation, see Delo's column 2, lines 49-51, "The present invention fulfills the needs in the art by providing optimizations for the process involved in **the installation of a software product onto a target computer system**", and column 6, lines 56-58, "the phrase 'software product' is meant to refer to **an application program module** (*application*) or a suite of application program modules." Further, in column 10, lines 7-10, "The present invention further extends the functionality of an **installation database system** by providing methods for efficiently managing and manipulating **installation database tables**." And updating the base tables with application data, see Delo's column 7, lines 15-28, the data elements stored in the database tables in FIG. 2A.

As Per claim 15, Delo discloses:

- *The method of claim 14, wherein the application is employs user defined preferences.*

For claim 14 feature see claim 14 rejection, for rest of claim 15 feature see Delo's Fig. 2A and description in column 7, lines 15-28,, "As shown in FIG. 2A, Feature_Table 205 **stores a list of features**, which are identified by Feature_ID 207. Each record in the **Feature_Table** 205 also includes a **Feature_Name** 209, an Attribute_F_A 211, an Attribute_F_B 212 and a **Feature_Preference 213**. The Component_Table 215 is constructed in the manner similar to the **Feature_Table** 205, but stores records for components instead of features. Each record in the Component_Table 205 includes a Component_Name 219, an Attribute_C_A 221, an Attribute_C_B 223 and a **Component_Preference** 223. The **Feature_Comp_Table** 225 associates Feature_IDs 207 with Component_IDs 217. As can be seen, the data elements **stored** in the database tables of FIG. 2A comprise string data, each string having a variable length, and integer data." – application uses user defined preferences.

As Per claim 16, Delo discloses:

- *The method of claim 14, wherein application data includes application procedures that are stored as data.*

For claim 14 feature see claim 14 rejection, Delo specifically mentions that "the phrase 'software product' is meant to refer to **an application program module** (*application*) or a suite of application program modules." – they are stored as data.

As Per claim 17, Delo discloses:

- *A computer readable medium having instructions stored thereon for carrying out the method of claim 14.*

For claim 14 feature see claim 14 rejection, for rest of claim 17 see Delo's column 5, lines 38-40, The **software product** and installation database are generally provided via a **computer-readable medium**, such as a CD-ROM disk." Further in lines 64 to column 6, line 10, "the **installation program module 137 may reside on the hard disk drive 127 of the target computer system** and may operate in conjunction with the operating system. ... In addition, **the installation program module may be provided along with the software product 136 and the installation database via a computer-readable medium**, such as CD-ROM, or the like." – where the installation program, which includes instructions for carrying out the method of claim 14, is stored in a computer readable medium.

Claim Rejections - 35 USC § 103

14.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

15.   Claims 6, 8, 9, 10, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,745,180 B2, by Yamanoue, hereinafter "Yamanoue", in view of U.S. 2003/0126136 A1 by Omoigui, hereinafter "Omoigui".

As Per claim 6, Yamanoue discloses:

- *The system of claim 5, wherein the event source is a subscription service.*
For claim 5 feature see claim 5 rejection, Yamanoue teaches all aspects of claim 6, but he does not disclose 'event source is a subscription service' explicitly,

however, Omoigui teaches this feature in an analogous prior art; see Omoigui's paragraph [0254], "Network News Transfer Protocol (NNTP). ... NNTP is designed so that news articles are stored in a central database **allowing subscribers to select only those items they wish to read.**" And [0267], "this refers to all the data stored on users' local machines, in addition to user-specific data on an Agency server (e.g., **subscribed** server-side Agencies, server-side Favorite Agents, etc.)." and [0801], "allows users to browse, **subscribe, and** unsubscribe to or from Agents on a given Agency that supports User State." It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to supplement Yamanoue's disclosure of the method of storing preference data in data store, and extract preference event from event source, by the event source is a subscription service taught by Omoigui. The modification would be obvious because one of ordinary skill in the art would be motivated by delivering the user preference event data only to the interested parties, i.e. subscribed users/agents. (See Omoigui's paragraph [0267]).

As Per claim 8, Yamanoue discloses:

- *The system of claim 1, further comprising a context analyzer to produce context data indicative of an end-users context at a given time and store the context data in the data store.*

For claim 1 feature see claim 1 rejection, Yamanoue teaches all aspects of claim 8, but he does not disclose 'context analyzer at a given time' explicitly, however, Omoigui teaches this feature in an analogous prior art; see Omoigui's Abstract, "The system includes a first server component that is responsible for adding and maintaining domain-specific semantic information and a second server component that hosts semantic and other knowledge for use by the first server component that work together **to provide context and time-sensitive semantic information**

retrieval services to clients operating a presentation platform via a communication medium."; see Omoigui's paragraph [0009], "Regardless of the search technique, the underlying organization of searchable information is **index-driven rather than context-driven**. The frequency or type of textual information associated the document determines the search results, as opposed to the attributes of the subject matter of the document and how those attributes **relate to the user's** context. *(end-users context)*". Also see Omoigui's paragraph [0255], "The notification source (the client or server) **stores information for the user** and the Agent indicating the last time *(stores data at a given time)* the user acknowledged a notification for the Agent".

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to supplement Yamanoue's disclosure of the method of storing preference data in data store, and extract preference event from event source and store the data in data store, by the turning the available data into an end-users context, i.e. usable knowledge, taught by Omoigui. The modification would be obvious because one of ordinary skill in the art would be motivated by turning the data into meaningful context and efficient access for the users. (See Omoigui's paragraph [0006]).

As Per claim 9, Yamanoue discloses:

- *The system of claim 1, further comprising one or more APIs to interact with applications.*

For claim 1 feature see claim 1 rejection, Yamanoue teaches all aspects of claim 9, but he does not disclose 'one or more APIs to interact with applications' explicitly, however, Omoigui teaches this feature in an analogous prior art; see Omoigui's paragraph [0206], "**Application Programming Interface (API)**. Defines how software programmers utilize a particular computer feature. **APIs** exist for

windowing systems, file systems, database systems, networking systems, and other systems."

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to supplement Yamanoue's disclosure of the method of storing preference data in data store, and extract preference event from event source and store the data in data store by using APIs to interact with applications taught by Omoigui. The modification would be obvious because one of ordinary skill in the art would be motivated by using APIs to capture input information, such as command parameters (See Omoigui's paragraph [0586]).

As Per claim 10, Yamanoue discloses:

- The system of claim 1, wherein the compiler can compile and the execution engine can execute both heavyweight applications and lightweight preference applications.

For claim 1 feature see claim 1 rejection, Yamanoue teaches all aspects of claim 10, but he does not disclose 'execute both heavyweight applications and lightweight preference applications' explicitly, however, Omoigui teaches this feature in an analogous prior art; according to the description of the current application, paragraph [0011], "Heavyweight applications include those that are often run on high-end servers and require high-throughput and scalability, among other things. Lightweight applications are those that are often executed on smaller systems such as personal computers and require low-latency, a small database footprint, and small working set." Omoigui teaches the knowledge retrieval system runs on both the high-end servers and the 'smaller systems', see Omoigui's FIGURE 7, and paragraph [0008], "Information access further improved with the advent of the **Internet, which connects a large number of computers across diverse geography to provide access to a vast body of information** *(heavyweight applications)*. The most wide spread method of providing

information over the Internet is via the World Wide Web. The Web consists of a
subset of the computers or Web servers connected to the Internet that typically run
Hypertext Transfer Protocol (HTTP), File Transfer Protocol (FTP), GOPHER or
other servers." And Omoigui's paragraph [0244], **"Lightweight Directory Access
Protocol** (LDAP). Technology for accessing common directory information.
LDAP has been embraced and implemented in most network-oriented middleware.
As an open, vendor-neutral standard, LDAP provides an extendable architecture
for **centralized storage and management of information** *(smaller systems such
as personal computers and require low-latency, and small working set)* that needs
to be available for today's distributed systems and services. LDAP is currently
supported in most network operating systems, groupware and even shrink-
wrapped network applications."

It would have been obvious to a person of ordinary skill in the art at the time of the
invention was made to supplement Yamanoue's disclosure of the method of
extracting event from event source and storing preference data in data store by
using both heavyweight and lightweight applications taught by Omoigui. The
modification would be obvious because one of ordinary skill in the art would be
motivated by presenting data to both low-end and high-end servers (See
Omoigui's paragraph [0022]).

As Per claim 22, Yamanoue discloses:

- *The method of claim 19, wherein the developer schema is an XML schema.*
For claim 19 feature see claim 19 rejection, Yamanoue teaches all aspects of claim
22, but he does not disclose 'XML schema' explicitly, however, Omoigui teaches
this feature in an analogous prior art, see Omoigui's paragraph [0008], "The most
wide spread method of providing information over the Internet is via the World
Wide Web. The Web consists of a subset of the computers or Web servers

connected to the Internet that typically run Hypertext Transfer Protocol (HTTP),
File Transfer Protocol (FTP), GOPHER or other servers. Web servers host Web
pages at Web sites. Web pages are encoded using one or more languages, such as
the original Hypertext Markup Language (HTML) or the more current **extensible
Markup Language (XML)** or the Standard Generic Markup Language (SGML)."
It would have been obvious to a person of ordinary skill in the art at the time of the
invention was made to supplement Yamanoue's disclosure of the method of
storing preference data in data store, and extract preference event from event
source, by the using XML taught by Omoigui. The modification would be obvious
because one of ordinary skill in the art would be motivated by encapsulates
structured, semantic queries in a flexible way (See Omoigui's paragraph [0202]).

Conclusion

16.   The prior art made of record and not relied upon is considered pertinent to
applicant's disclosure.

Keil et al., US 2002/0087388 A1, discloses a system to determine preference
information of part worth values associated with a consumer and a product includes
determination of a plurality of attributes of the product.

Kagalwala et al., US 2003/0105732 A1, discloses a schema for a SQL (structured
query language) database defines classes, properties, methods, and associations.

Knutson et al., US Patent No. 5,870,746, discloses a system and method for
allowing a user to segment and partition a database based upon attributes associated with
the data in the database. Also, a system and method for generating a report for a user

which allows the user to make decisions, without requiring the user to understand or interpret data itself.

Jammes et al., US Patent No. 6,484,149, discloses a system and method for designing and operating an electronic store (1) permit a merchant to organize and advertise descriptions of product inventory over the Internet, (2) permit Web page information to be extracted on-demand from a product inventory database, and (3) permit Web pages to be automatically customized to fit shopping behaviors of individual consumers.

Knight et al., US 2005/0091674 A1, discloses a schema for a system for personalizing computer functionality. End-users are provided with tools to easily write rich and complex preferences, for example, by using a plurality simple IF-THEN propositional logic. The preferences are then transformed into queries and executed efficiently on structured data.

17.   The following summarizes the status of the claims:

35 USC § 112 (1) rejection: Claim 7

35 USC § 102 rejection: Claims 1-5, 11-21, 23

35 USC § 103 rejection: Claims 6, 8, 9, 10, 22

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chih-Ching Chow whose telephone number is 571-272-3693. The examiner can normally be reached on 8:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Zhen can be reached on 571-272-3708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Any

inquiry of a general nature of relating to the status of this application should be directed
to the **TC2100 Group receptionist: 571-272-2100**.

Information regarding the status of an application may be obtained from the Patent
Application Information Retrieval (PAIR) system. Status information for published
applications may be obtained from either Private PAIR or Public PAIR. Status
information for unpublished applications is available through Private PAIR only. For
more information about the PAIR system, see http://pair-direct.uspto.gov. Should you
have questions on access to the Private PAIR system, contact the Electronic Business
Center (EBC) at 866-217-9197 (toll-free).

Chih-Ching Chow

Examiner

Art Unit 2191

January 17, 2007

CC

WEI ZHEN
SUPERVISORY PATENT EXAMINER

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date
:8/19/04,3/25/05,10/13/05,3/24/06.